

[Submitting counsel below]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION**

No. 3:23-md-03084-CRB

**NOTICE OF CORRECTION RE:
PLAINTIFFS' MOTION TO COMPEL
PRODUCTION OF POLICY DOCUMENTS
AND INSPECTION AND FOR
SANCTIONS**

This Document Relates to:
All Cases

Judge: Honorable Lisa J. Cisneros
Date: TBD
Time: TBD
Courtroom: G – 15th Floor

In their March 5, 2025 motion to compel policy documents, Plaintiffs cited several examples of hyperlinks within Uber policies that should have been, but were not, produced. One of those documents was linked in the policy produced as **Exhibit F** to the motion. ECF 2439-11.

On March 7, Uber informed Plaintiffs that the hyperlinked document at issue in Exhibit F was withheld as privileged in connection with an August 29, 2024 production of custodial documents (not in connection with the January 2025 policies production). The log entry gave no indication this document related to any specific policies that would be produced.

Plaintiffs submit this notice primarily to correct the record. But it bears emphasis that this only underscores the problems created by Uber's incomplete policies production and overbroad privilege designations. In many cases (if not most), policies produced by Uber do not include metadata with a full URL link of the embedded operational guidelines linked to these Policies. Where, as with Exhibit F, an embedded URL link is provided, only a portion of the link is considered the "google doc ID." Finally, Uber did not identify the document withheld on its

1 Privilege Log as having a Parent / Child relationship to Exhibit F, making it difficult to connect
2 the two documents based on the Privilege Log entry.

3 To determine that this document was withheld as privileged, Plaintiffs would have needed
4 to complete the following steps:

- 5 1. Review Exhibit F in extracted-text form, which reveals the URLs for some
6 hyperlinks.
- 7 2. Identify within the hyperlink's Google Docs URL the "google doc ID."
- 8 3. Search the productions by entering that ID into the "DocID" Field.
- 9 4. Pull and review the slipsheet stating that the document was withheld as privileged.
- 10 5. Identify the Bates number and cross-reference to the privilege log to determine the
11 reason for withholding.

12 So it is, at best, arduous and, at worst, impossible for Plaintiffs to review Uber's policy
13 productions and even figure out which hyperlinks have been produced and which withheld, let
14 alone pair operational guidelines to the policies in which they are linked.

15 Plaintiffs also had no way of knowing from the description on Uber's privilege log that
16 the document was itself a live document linked to Uber's policies. Based on the information
17 available to them Plaintiffs did not challenge Uber's privilege assertion. Plaintiffs reserve the
18 right to bring this document and other policies to the attention of the Special Master.

19
20 Dated: March 10, 2025

Respectfully submitted,

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I am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I attest that the signatories above concurred in this filing.

Dated: March 10, 2025

By: /s/ Andrew R. Kaufman

Andrew R. Kaufman